

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/29/22 Weekly Agenda Date: 7/5/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Dan Priestley, CED Zoning Coordinator

**WORDING FOR AGENDA ITEM:**

- a. Motion to receive the Zoning Commission's recommendation from their 6/27/22 meeting to approve the final plat of William's Third Strike, First Addition, a Minor Subdivision.
- b. Motion to approve the William's Third Strike, First Addition, minor subdivision final plat with the Zoning Commission's recommendation and authorize the Chairman to sign the resolution.

**ACTION REQUIRED:**

- |  |  |  |
|--|--|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input checked="" type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/>          | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Supervisors will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Lee Marc Williams has filed for a one-lot minor subdivision on the property identified as Parcel #894602300004 and located in the SW ¼ of the SW ¼ in T89N R46W (Concord), Sec. 2, in the Agricultural Preservation Zoning District. The purpose is to split the house from the parcel and retain the remaining portion of the property for agricultural uses. The proposal has been properly noticed in the Sioux City Journal Legals Section on 6/10/22. The neighbors within 1000 FT have been notified via a 6/10/22 letter about the 6/27/22 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified for comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access with a shared driveway. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. The proposed lot contains the septic system and the well is located on the abutting lot to the west where an easement agreement for access and maintenance will be required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the minimum requirements for approval. It is the recommendation of staff to approve this proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. On 6/27/22, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. Staff can report that the easement has been prepared and is ready to be recorded along with the final plat.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the final staff report and P&Z Commission's recommendation from their 6/27/22 meeting.  
Approve the plat with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the final staff report and P&Z Commission's recommendation from their 6/27/22 meeting.  
Motion to approve the William's Third Strike, First Addition, final plat with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 and authorize the Chairman to sign the resolution.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**  
620 DOUGLAS STREET – SIOUX CITY, IA 51101

Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
Telephone (712) 279-6609 Fax (712) 279-6530

**WILLIAM'S THIRD STRIKE, FIRST ADDITION - MINOR SUBDIVISION PROPOSAL  
FINAL REPORT – 6/29/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<b>Owner(s):</b> Lee Marc Williams <b>Application Type:</b> Minor Subdivision (1 Lot) <b>Subdivision Name:</b> William's Third Strike, First Addition <b>Application Date:</b> May 27, 2022 <b>Subdivision Area:</b> 2.0 (Taxable); 0.59 (ROW); 2.59 Total <b>Legal Notice Date:</b> June 10, 2022 <b>Stakeholders (1000') Letter Date:</b> June 10, 2022 <b>Zoning Commission Public Hearing Date:</b> June 27, 2022 <b>Board of Supervisors Review Date (Agenda Item):</b> July 5, 2022	<b>Parcel(s):</b> 894602300004 <b>Township:</b> T89N R46W (Concord) <b>Section:</b> 2 <b>Quarter:</b> SW ¼ of the SW ¼ <b>Zoning District:</b> Agricultural Preservation (AP) <b>Floodplain District:</b> Zone X (Not in SFHA) <b>Address:</b> 1827 110 <sup>th</sup> St., Sioux City, IA 51106	<input type="checkbox"/> Summary, Aerial & Plat Excerpt, Recommendation <input type="checkbox"/> Application <input type="checkbox"/> Final Plat <input type="checkbox"/> Review Criteria <input type="checkbox"/> Extraterritorial Review <input type="checkbox"/> Legal Notification <input type="checkbox"/> Adjacent Owners' Notification <input type="checkbox"/> Stakeholder Comments <input type="checkbox"/> Supporting Documentation

**SUMMARY**

Lee Marc Williams has filed for a one-lot minor subdivision on the property as referenced above. The purpose is to split the house from the parcel and retain the remaining portion of the property for agricultural uses. The proposal has been properly noticed in the Sioux City Journal Legals Section on June 10, 2022. The neighbors within 1000 FT have been duly notified via a June 10, 2022 letter about the June 27, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access with a shared driveway. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. The proposed lot contains the septic system and the well is located on the abutting lot to the west where an easement agreement for access and maintenance will be required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the minimum requirements for approval. It is the recommendation of staff to approve this proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. On June 27, 2022, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. Staff can report that the easement has been prepared and is ready to be recorded along with the final plat.

AERIAL MAP	PLAT EXCERPT
<p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Roads</li> <li>Corp Boundaries</li> <li>Townships</li> <li>Subdivisions</li> <li>Parcels</li> <li>County Zoning</li> <li>AE</li> <li>AP</li> <li>GC</li> <li>GC-PD</li> <li>GI</li> <li>L1</li> <li>LI-PD</li> <li>SR</li> <li>WR</li> </ul> <p>Parcel ID: 894602300004    Alternate ID: 872895    Owner Address: WILLIAMS LEE MARC            Sec/Twp/Rng: 2-89-46    Class: A    7500 CORRECTONVILLE RD            Property Address: 1827 110TH ST    Acreage: 36.82    LAWTON, IA 51030            District: 0025            Brief Tax Description: EX 5242; W180' SWSW 2-89-46            (Note: Not to be used on legal documents)</p>	<p><b>LOT 1</b> Part of the Section 20/14 2.00 Acres Taxable 1.59 Acres Other Uses 1.59 Acres Total</p> <p><b>SURVEY</b> I, DAVID L. UNDER TIL IOWA, DO HEREBY CERTIFY THAT THE FIRST ABOVE REPRESENTS DIRECT S AND COM PROPERTY LOC HERE DESCRIP ADDITION NUMBERS AND THAT EVERY LC DATED AT MY LICEN Number of</p>

**STAFF RECOMMENDATION**

Staff recommends approval of this minor subdivision proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. As of June 27, 2022, staff can report that the easement has been prepared, included in this report, and is ready to be recorded along with the final plat.

**ZONING COMMISSION STAFF RECOMMENDATION**

On June 27, 2022, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property.

## ZONING COMMISSION DRAFT MINUTES – JUNE 27, 2022

### Minutes - Woodbury County Zoning Commission Meeting – June 27, 2022

The Zoning Commission (ZC) meeting convened on the 27th of June at 6:00 PM for in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zant, Corey Meister, Jeff O'Tool, Barb Parker  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Mark Williams, Dan Kriener

#### Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

#### Public Comment on Matters Not on the Agenda

None.

#### Approval of Previous Meeting Minutes – May 23, 2022 and June 1, 2022

O'Tool motioned. Second: Parker 4-0.

#### Public Hearing: Williams Third Strike, First Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Lee Marc Williams has filed for a one-lot minor subdivision on the property identified as Parcel #894602300004 and located in the SW ¼ of the SW ¼ in T89N R46W (Concord Township), Section 2, in the Agricultural Preservation (AP) Zoning District. The purpose is to split the house from the parcel and retain the remaining portion of the property for agricultural uses. The proposal has been properly noticed in the Sioux City Journal Legals Section on June 10, 2022. The neighbors within 1000 FT have been duly notified via a June 10, 2022 letter about the June 27, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access with a shared driveway. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. The proposed lot contains the septic system and the well is located on the abutting lot to the west where an easement agreement for access and maintenance will be required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the minimum requirements for approval. It is the recommendation of staff to approve this proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. Motion to close public hearing: Parker. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Williams Third Strike, First Addition, Minor Subdivision to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use and maintenance of the well servicing Lot 1 from abutting property by Meister. Second: Parker. Motion approved 4-0.

#### Information/Discussion: "Conditional Use Permit Process" – Woodbury County Zoning Ordinance

Priestley offered an overview of the conditional use process including the importance or research and detail as it pertains to the staff recommendation and Zoning Commission recommendation to the Board of Adjustment to insure all criteria is met before being presented to Board of Adjustment. Each conditional use application is different. Although there may be some past precedence, each case needs to be analyzed separately and be associated with the conditional use criteria as referenced in the ordinance. The conditional use criteria is what would be reviewed if a conditional use is ever challenged in district court.

#### Public Comment on Matters Not on the Agenda

None.

#### Commissioner Comment or Inquiry

Parker asked about shed/houses being built in the county. Priestley stated they go through the regular building permit process for approval as would a house. The minimum structure dimension for a single-family dwelling must be 23' x 23'. Woodbury County does not have building codes. However, Iowa Code must be followed for electrical. Shed/houses must have plumbing and be set up for human habitation. As with any single-family dwelling, except for Ag Exempt property, the house must be in front of any accessory structure. Thus, accessory structures must be even with or behind the dwelling's front wall relative to the front property line, unless a distance of double the set back can be achieved.

#### Staff Update

Priestley addressed zoning issues with vendors setting up temporary sales along the RAGBAI route. There are no provisions in the ordinance to allow temporary sales of alcohol or other items. Private property owners may offer items for free will donations. Alcohol sales would require review by the Zoning Commission and approval by the Board of Adjustment in the General Commercial (GC) Zoning District.

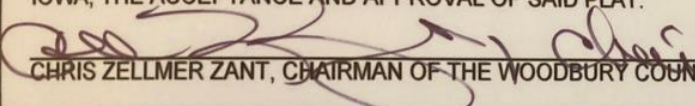
#### Adjourn

Motion by Parker. Second: Meister. 4-0. The meeting adjourned at 6:30 PM.

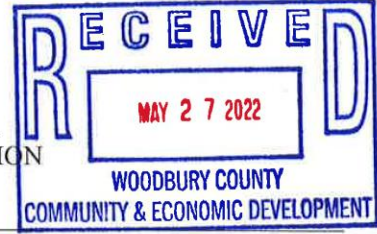
## RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION – JUNE 27, 2022

### RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVICE THE PLAT OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 27 DAY OF June, 2022 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

  
CHRIS ZELLMER ZANT, CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION, WOODBURY COUNTY, IOWA

WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION



Applicant: Lee Marc Williams  
Name of Owner

Mailing Address: 7503 Correctionville Road, Lawton, IA 51030  
Street City or Town State and Zip + 4

Property Address: 1827 - 110th Street, Sioux City, IA 51108  
Street City or Town State and Zip + 4

*Lee  
Dan Krivick*

Ph/Cell #: 712-898-6373 E-mail Address: leebird86@icloud.com

To subdivide land located in the SW 1/4 SW 1/4 Quarter of Section 2-89-46

Civil Township Concord GIS Parcel # 894602300004

Name of Subdivision: Williams Third Strike, First Addition

Subdivision Area in Acres 2.00 Tax, 2.59 Gross Number of Lots One

**Attachments:**

1. Ten (10) copies of grading plans; if required.
2. Ten (10) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: David Wilberding Ph/Cell: 712-548-6325

Attorney: Robert Rehan Ph/Cell: 712-255-1085

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: *Lee Williams*

Zoning Director: *Robert Rehan*

**For Office Use Only:**

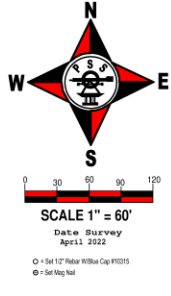
Zoning District AP Flood District X Date \_\_\_\_\_ No. 6773

Application Fee  
4 Lots or less (\$200) \$200 OK #2154  
5 Lots or more (\$250 plus \$5 per lot) \_\_\_\_\_

**Index Legend**

Location: Section 2, Township 89N, Range 46W, SW1/4 SW1/4  
 Requestor: Mark Williams  
 Propriator: Lee Marc Williams  
 Surveyor: David L. Wilberding  
 Company: PSS Inc.  
 Return To: David L. Wilberding, #8 Brady Drive, Cherokee, IA 51012  
 pss@surveyiowa.com | 712548-8325

**Location Map - No Scale**



**FINAL PLAT**  
 "William's Third Strike, First Addition"  
 a Minor Subdivision, to Woodbury County, Iowa

**Legal Description for Parcel "William's 3rd Strike, First Addition"**

A parcel of land described as being a part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 89 North, Range 46 West of the 5th P.M., Woodbury County, Iowa, further described as follows:

Commencing at the Southeast corner of SW1/4 of said Section 2; thence N 88°45'48" W on the South line of the SW1/4 of said Section 2, a distance of 1617.80 feet to the POINT OF BEGINNING; thence continuing N 88°45'48" W on said South line, a distance of 462.12 feet; thence N 4°09'10" E, a distance of 148.95 feet; thence N 30°52'04" E, a distance of 41.51 feet; thence N 89°45'48" W on said South line, a distance of 241.17 feet; thence S 52°38'44" E, a distance of 130.79 feet; thence S 42°58'21" E, a distance of 423.32 feet; thence S 1°14'12" W, a distance of 45.02 feet to the POINT OF BEGINNING, contains a total of 2.59 Acres, inclusive of a Public Roadway Easement of 0.59 Acres. Said parcel is also subject to any and all other Easements, be they of Record or not.

For this Survey, the South line said Section 2 is assumed to bear N 88°45'48" W.



**SURVEYOR'S CERTIFICATE**

I, DAVID L. WILBERDING, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 10315, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF WILLIAMS THIRD STRIKE, FIRST ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AND STREETS DESCRIBED IN SAID ADDITION PLATTED; THAT THE SAME ARE OF THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT AND THAT IRON STAKES WERE DRIVEN AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT, DATED AT SIOUX CITY, IOWA, 2022.

DAVID L. WILBERDING IOWA PLS #10315  
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023  
 Number of Pages covered by this certification: = 1



**Owner / Subdivisor**  
 Lee Marc Williams  
 7933 Correctionville Rd  
 Lawton IA 51030

**Surveyor**  
 David L. Wilberding  
 #8 Brady Drive  
 Cherokee, Iowa 51012

**NOTES**

- 1) Electrical Utility Provider: Woodbury REC
- 2) Telephone & Internet Utility Provider: Century Link
- 3) Residential Minimum Lot Area: 2 acres Minimum Lot Width: 200' Setback: Front 100' Side 30' Rear 50'
- 4) House was built in 1900 Front Setback as grandfathered in.

**Zoning**  
 Current Zoning = AP  
 Proposed Zoning  
 No Change

**BOARD OF SUPERVISORS' RESOLUTION**

**RESOLUTION NO. \_\_\_\_\_**

RESOLUTION ACCEPTING AND APPROVING "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME;

AND WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT;

NOW THEREFORE BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED; AND THE CHAIRMAN AND SECRETARY OF THE BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

KEITH RADIG  
 CHAIRMAN, BOARD OF SUPERVISORS  
 WOODBURY COUNTY, IOWA

ATTEST: PATRICK F. GILL, SECRETARY

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS: LEE MARC WILLIAMS, SINGLE, THE OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAS IN THE FOREGOING CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF DAVID L. WILBERDING, A PROFESSIONAL LAND SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNED AND PROPRIETOR THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

LEE MARC WILLIAMS

**INDIVIDUAL ACKNOWLEDGMENT**

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED LEE MARC WILLIAMS, SINGLE, TO ME KNOWN TO BE THE PERSON NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS VOLUNTARY ACT AND DEED.

**NOTARY PUBLIC IN AND FOR SAID STATE**

I, MARK NAHRA, P.E. COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS BOTH LINEAL AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, ALLEYS AND EASEMENTS ARE SHOWN.

MARK NAHRA, P.E.  
 COUNTY ENGINEER  
 WOODBURY COUNTY, IOWA

**CERTIFICATE OF COUNTY ASSESSOR**

I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED \_\_\_\_\_

JULIE CONOLLY  
 WOODBURY COUNTY ASSESSOR

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA**

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVICEMENT THE PLAT OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

CHRIS ZELLMER ZANT, CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION, WOODBURY COUNTY, IOWA

**AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING**

STATE OF IOWA: \_\_\_\_\_ SS  
 COUNTY OF WOODBURY: \_\_\_\_\_

DOCKET NO: \_\_\_\_\_

FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

RECORDED IN PLAT ENVELOPE INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED \_\_\_\_\_

PATRICK F. GILL  
 AUDITOR AND RECORDER  
 WOODBURY COUNTY, IOWA  
 BY: DIANE SWOBODA PETERSON, DEPUTY

**AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE**

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED \_\_\_\_\_, 2022.

PATRICK F. GILL  
 WOODBURY COUNTY AUDITOR  
 BY: DIANE SWOBODA PETERSON, DEPUTY

**TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS**

I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

DATED \_\_\_\_\_

TINA BERTRAND  
 TREASURER  
 WOODBURY COUNTY, IOWA

**TITLE OPINION**

TO: COUNTY AUDITOR AND RECORDER  
 WOODBURY COUNTY, IOWA

DEAR SIR/MADAM:

We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(3), to the property described in the Surveyor's Certificate on the Plat of Williams Third Strike First Addition to Woodbury County, Iowa, described more particularly as:

A parcel of land described as being a part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Two, Township Eighty-nine (89) North, Range Forty-six (46) West of the Fifth (5th) Principal Meridian, Woodbury County, Iowa, further described as follows:

Commencing at the Southeast corner of Southwest Quarter (SW 1/4) of said Section Two (2); thence North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48" W) West on the South line of the Southwest Quarter (SW 1/4) of said Section Two (2), a distance of One Thousand Six Hundred Seventeen and Eight Hundredths feet (1,617.80) to the Point of Beginning; thence continuing North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48" W) West on said South line, a distance of Four Hundred Sixty-two and Twelve Hundredths feet (462.12); thence North Four Degrees Nine Minutes Ten Seconds (N 04°09'10" E), a distance of One Hundred Forty-eight and Ninety-five Hundredths feet (148.95); thence North Thirty Degrees Five Minutes Twenty-four Seconds (N 30°52'04" E), a distance of Forty-one and Five Hundredths feet (41.51); thence North Nine Degrees Thirty-eight Minutes Thirty Seconds (N 09°38'30" E), a distance of Two Hundred Forty-one and Seventeen Hundredths feet (241.17); thence South Fifty-two Degrees Thirty-eight Minutes Forty-four Seconds (S 52°38'44" E), a distance of One Hundred Thirty and Seven Hundredths feet (130.79); thence South Forty-two Degrees Fifty-eight Minutes Twenty-one Seconds (S 42°58'21" E), a distance of Four Hundred Twenty-three and Three Hundredths feet (423.32); thence South One Degree Fourteen Minutes Twelve Seconds (S 01°14'12" W), a distance of Forty-five and Two Hundredths feet (45.02) to the Point of Beginning, contains a total of 2.59 acres, inclusive of a Public Roadway Easement of 0.59 acres and was last certified by Engstrom Abstract Co., Inc. dated \_\_\_\_\_, 2022 at 8:59 o'clock a.m. and from said abstract first good and merchantable title to said premises vested in Lee Marc Williams, the proprietor, free and clear of all mortgages, liens and other encumbrances, except the following:

- Mortgage from Lee M. Williams, a single person to The Security National Bank of Sioux City, Iowa dated September 14, 2021, filed September 16, 2021 and recorded as Inst. #2021-12856 in the office of the Woodbury County Recorder.
- Assignment of Rents from Lee M. Williams, a single person to The Security National Bank of Sioux City, Iowa dated September 14, 2021, filed September 16, 2021 and recorded as Inst. #2021-12857 in the office of the Woodbury County Recorder.
- Agreement filed January 9, 2013 on Roll 727, Image 3153 entered into by and between a former titleholder, Lowell E. Gard Family Trust and the Woodbury County Soil and Water Conservation District.
- Easement filed March 8, 1968 in Book 1191, Page 93 conveyed to Woodbury County in connection with a public highway.
- Zoning Regulations from the Woodbury County Board of Supervisors to The Public, dated January 11, 1971, filed March 5, 1971, and recorded in Book 1263, Pages 76 to 78, in the office of the Woodbury County Recorder.
- Resolution Nos. 6332 and 6333 dated May 12, 1977, and filed in the Office of the County Recorder, Woodbury County, Iowa, on Roll 62 at images 2119 and 2120.
- Notice of filing of soil and water resource conservation plan filed for record July 29, 1992, and recorded in Roll 266, Image 2345.
- Resolution No. 9460 filed December 12, 2000 on Roll 475, Image 935.
- Resolution No. 10,455 filed August 28, 2008 on Roll 698, Image 7213.
- Resolution No. 10,456 filed August 29, 2008 on Roll 699, Image 7313.
- Ordinance No. 61 filed February 28, 2022 as Inst. #2022-02525.
- Matters shown on the final plat of Williams Third Strike First Addition to Woodbury County, Iowa.
- All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

DATED \_\_\_\_\_, 2022.

ROBERT J. REHAN  
 ATTORNEY AT LAW

CONSENT TO PLATTING

THE SECURITY NATIONAL BANK OF SIOUX CITY, IOWA, MORTGAGEE UNDER THAT CERTAIN REAL ESTATE MORTGAGE BEING RECORDED ON THE 16<sup>TH</sup> DAY OF SEPTEMBER, 2021 AS INST. #2021-12856 AND AS ASSIGNEE UNDER THAT CERTAIN ASSIGNMENT OF LEASES AND RENTS RECORDED ON THE 16<sup>TH</sup> DAY OF SEPTEMBER, 2021 AS INST. #2021-12857, EACH INSTRUMENT HAVING BEEN FILED IN THE RECORDS OF THE COUNTY RECORDER OF WOODBURY COUNTY, IOWA, DOES HEREBY CONSENT TO THE PLATTING OF THE PROPERTY TO BE PLATTED AS **WILLIAMS THIRD STRIKE, FIRST ADDITION**, BY LEE MARC WILLIAMS, AN UNMARRIED PERSON AND RELEASES FROM SAID MORTGAGE AND ASSIGNMENT OF LEASES AND RENTS, ALL STREETS, EASEMENTS AND OTHER AREAS TO BE CONVEYED OR DEDICATED TO THE LOCAL GOVERNMENTAL UNIT WITHIN WHICH SUCH LAND IS LOCATED.

DATED \_\_\_\_\_, 2022.

THE SECURITY NATIONAL BANK OF SIOUX CITY, IOWA:

\_\_\_\_\_  
BY: DARREN TOOLEY,  
VICE PRESIDENT-AG LOAN SERVICES

**SUBSCRIBED AND SWORN** TO BEFORE ME BY THE SAID DARREN TOOLEY AS VICE PRESIDENT-AG LOAN SERVICES OF THE SECURITY NATIONAL BANK OF SIOUX CITY, IOWA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
NOTARY PUBLIC

**CED STAFF - REVIEW CRITERIA (SUBDIVISION ORDINANCE)**

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, CED staff:

	<b>shall review a subdivision application for completeness and for approval of a final plat by ensuring it is submitted in accordance with the standards for a subdivision plat per Iowa Code.</b>
	Staff reviewed the subdivision application, deemed it complete, and verified the final plat's conformance to the County's Zoning Ordinance, Subdivision Ordinance, and the Code of Iowa, all as required by law.
	<b>shall accept payment of applicable fees, and distribute copies of the final plat to the Planning &amp; Zoning Commission, the appropriate county departments and public utilities; and</b>
	Staff received the application fee and the account is paid-in-full. Staff also distributed copies of the application, final plat, and other materials to all relevant stakeholders as required.
	<b>shall coordinate with the County Engineer who shall review the final plat to determine conformance with the engineering design standards of these regulations and to verify accuracy of the legal descriptions and survey data; and</b>
	Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.
	<b>shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and</b>
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	<b>shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.</b>
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends approval of the final plat.

**ZONING COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)**

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:

	<b>shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and</b>
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	<b>shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and</b>
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing.
	<b>may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and</b>
	Staff recommends that an easement be recorded for the continued access, use, and maintenance of the well servicing the lot. Staff does not recommend any other specific conditions for this final plat. On June 27, 2022, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property.
	<b>shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.</b>
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

**WELL EASEMENT AND MAINTENANCE AGREEMENT  
Recorder's Cover Sheet**

**Preparer Information:**

Robert J. Rehan  
Attorney at Law  
P.O. Box 5326  
Sioux City, IA 51102

**Taxpayer Information:**

Lee Marc Williams  
7503 Correctionville Road  
Lawton, IA 51030

**Return Address:**

Robert J. Rehan  
Attorney at Law  
P.O. Box 5326  
Sioux City, IA 51102

**Grantors:**

See page 2

**Grantees:**

See page 2

**Legal Description:** see page 2

**Document or instrument number if applicable:** N/A



## WELL EASEMENT AND MAINTENANCE AGREEMENT

**AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2022, between Lee Marc Williams, a single person (hereafter referred to as "First Party") and Lee Marc Williams, a single person (hereafter referred to as "Second Party").

1. First Party is record titleholder to the following described real estate, to wit:

See copy of attached legal description marked Exhibit "A"

2. First Party is in the process of platting a portion of the above-described which is currently described as follows, to wit:

A parcel of land described as being a part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Two, Township Eighty-nine (89) North, Range Forty-six (46) West of the Fifth (5<sup>th</sup>) Principal Meridian, Woodbury County, Iowa, further described as follows:

Commencing at the Southeast corner of Southwest Quarter (SW ¼) of said Section Two (2); thence North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48") West on the South line of the Southwest Quarter (SW ¼) of said Section Two (2), a distance of One Thousand Six Hundred Seventeen and Eighty Hundredths feet (1,617.80') to the Point of Beginning; thence continuing North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48") West on said South line, a distance of Four Hundred Sixty-two and Twelve Hundredths feet (462.12'); thence North Four Degrees Nine Minutes Ten Seconds (N 04°09'10") East, a distance of One Hundred Forty-eight and Ninety-five Hundredths feet (148.95'); thence North Thirty Degrees Fifty-five Minutes Twenty-four Seconds (N 30°55'24") East, a distance of Forty-one and Fifty-one Hundredths feet (41.51'); thence North Nine Degrees Thirty-eight Minutes Thirty Seconds (N 09°38'30") East, a distance of Two Hundred Forty-one and Seventeen Hundredths feet (241.17'); thence South Fifty-two Degrees Thirty-eight Minutes Forty-four Seconds (S 52°38'44") East, a distance of One Hundred Thirty and Seventy-nine Hundredths feet (130.79'); thence South Forty-two Degrees Fifty-eight Minutes Twenty-one Seconds (S 42°58'21") East, a distance of Four Hundred Twenty and Thirty-two Hundredths feet (420.32'); thence South One Degree Fourteen Minutes Twelve Seconds (S 01°14'12") West, a distance of Forty-five and Two Hundredths feet (45.02') to the Point of Beginning; contains a total of 2.59 acres, inclusive of a Public Roadway Easement of 0.59 acres.

The South line of said Section 2 is assumed to bear N 88°45'48" W.

\*\*\*The above-described real estate shall in the future be identified as Lot 1 of Williams Third Strike, First Addition to Woodbury County, Iowa.

3. A well is situated on the property being retained by First Party. The well is located West of and within 10 feet of the boundary line of the property to be known as Lot 1 of Williams Third Strike, First Addition to Woodbury County, Iowa. The existing well will become a shared well and the purpose of this instrument is for First Party to grant an easement to Second Party allowing for the use of the water, the water well, pipes and other appurtenances thereto for the purpose of allowing Second Party to take water from said well.

4. For good and valuable consideration, the receipt and adequacy of which of is hereby acknowledged, First Party grants and conveys to Second Party an easement for the use of the water, the water well, pipes and other appurtenances thereto for the purpose of allowing Second Party to take water from said well; said easement being identified as a 30' x 41.15' "Utility Easement for Well" on the final plat of Williams Third Strike, First Addition. Said easement shall allow for ingress and egress to repair and maintain said water well and pipes.

5. Each parcel owner shall bear one-half of the cost of any maintenance necessary for the efficient operation of the well and well casing. Any maintenance necessary for repair of a water line running from the well shall be borne solely by the parcel owner relying upon that water line for the transportation of water.

6. Each parcel owner will split the cost of electricity to operate the well 50/50.

7. It is further agreed between the parties hereto that in the event that Second Party gains access to usable water from another source (i.e. new well drilled on Second Party property or connects to rural water), that this easement shall then terminate and shall be of no further force or effect. Furthermore, should the well become obsolete or should Second Party abandon it and fail to share in the costs of electricity and maintenance, then this easement shall terminate and shall be of no further force or effect.

8. This instrument may not be modified except by written instrument executed by all of the parties hereto or by their legal successors and/or assigns. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties successors and/or assigns.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

First Party:

Second Party:

\_\_\_\_\_  
Lee Marc Williams

\_\_\_\_\_  
Lee Marc Williams

STATE OF IOWA                    )  
  )ss.  
COUNTY OF WOODBURY        )

ON this \_\_\_\_ day of \_\_\_\_\_, 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Lee Marc Williams to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

\_\_\_\_\_  
NOTARY PUBLIC

**EXHIBIT "A"**

**The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46) West of the 5<sup>th</sup> P.M., in the County of Woodbury and State of Iowa.**

**The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5<sup>th</sup> P.M., in the County of Woodbury and State of Iowa EXCEPT all that part of the Southwest Quarter (SW ¼) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5<sup>th</sup> P.M. in Woodbury County, Iowa, described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW ¼) of Section Two (2); thence North along the West line of said Section Two (2) for Two Hundred Forty-two Feet (242.00'); thence North Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (N 88°56'24") East for One Hundred Eighty Feet (180.00'); thence South for Two Hundred Forty-two Feet (242.00'); thence South Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (S 88°56'24") West along the South line of said Section Two (2) for One Hundred Eighty Feet (180.00') to the point of beginning. The West line of said Section Two (2) is assumed to bear due North for this description. Said described parcel contains 1.00 acre more or less, including County road easement.**

## EXTRATERRITORIAL REVIEW

This property is greater than two (2) miles from any incorporated jurisdictions and does not require extraterritorial review under Iowa Code, Section 354.9.



## LEGAL NOTIFICATION

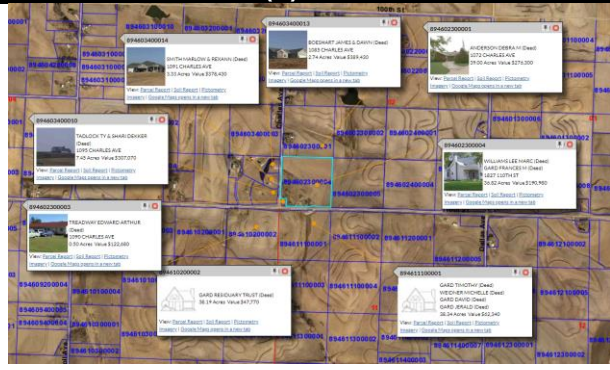
Published in the Sioux City Journal's Legals Section on **June 10, 2022**.

**NOTICE OF A PUBLIC HEARING REGARDING A MINOR SUBDIVISION PROPOSAL BEFORE THE WOODBURY COUNTY ZONING COMMISSION**

The Woodbury County Zoning Commission will hold a public hearing on the following item on **June 27, 2022 at 6:00 PM** or as soon thereafter as the date may be considered. Said hearing will be held in the Board of Supervisors Meeting Room, Number 101, County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of Woodbury County Community and Economic Development on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to this matter should appear at the aforesaid hearing in person or call 712-454-1133 and enter the Conference ID: 516 721 135# during the meeting to listen or comment.

**PROPOSED MINOR SUBDIVISION:** To be known as Williams' Third Strike First Addition, - a one-vot. minor subdivision in a 2.69-acre portion of Section 2, T8N, R46W (Concord Township) in the SW 1/4 of the SW 1/4 on Parcel #894602300004. The parent parcel is located about 4 miles east of Sioux City. The property is located in the Agricultural Preservation (AP) Zoning District. The Applicant Property Owner: Lee Marc Williams. Property Address: 1827 110th St., Sioux City, IA 51108.

## PROPERTY OWNER(S) NOTIFICATION – 1000'



The **eight (8)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **June 10, 2022** letter of the public hearing before the Woodbury County Zoning Commission on **June 27, 2022**.

As of **June 29, 2022**, the Community and Development office has received:

- 0 Phone Inquiries
- 0 Written Comments

The names of the property owners are listed below.

When more comments are received after the printing of this packet, they will be provided at the meeting.

Property Owner(s)	Mailing Address	Comments
Lee Marc Williams	7503 Correctionville Road, Lawton, IA 51030	No comments.
Edward Arthur Treadway and Maxine M. Treadway	1090 Charles Avenue, Sioux City, IA 51108	No comments.
Debra M. Anderson	4110 Floyd Boulevard, Sioux City, IA 51108	No comments.
Ty Tadlock and Shari Dekker	1095 Charles Avenue, Sioux City, IA 51108	No comments.
Marlow Smith and Rexann Smith	1091 Charles Avenue, Sioux City, IA 51108	No comments.
James Boeshart and Dawn Boeshart	1085 Charles Avenue, Sioux City, IA 51108	No comments.
Julie K. Gard	1215 Carroll Avenue, Sioux City, IA 51108	No comments.
Timothy Gard, Jerald Gard, David Gard, and Michelle Weidner	2613 South Steele Street, Sioux City, IA 51106	No comments.

## STAKEHOLDER COMMENTS

<b>911 COMMUNICATIONS CENTER:</b>	No issues here. – Glenn Sedivy, 6/1/22.
<b>FIBERCOMM:</b>	No comments.
<b>IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):</b>	No comments.
<b>LONGLINES:</b>	No comments.
<b>LUMEN:</b>	No comments.
<b>MAGELLAN PIPELINE:</b>	No comments.
<b>MIDAMERICAN ENERGY COMPANY (Electrical Division):</b>	I have reviewed the proposed minor subdivision for MED electric and we have no conflicts. – Casey Meinen, 6/2/22.
<b>MIDAMERICAN ENERGY COMPANY (Gas Division):</b>	No conflicts from MEC "Gas" department. – Tyler Ahlquist, 6/2/22.
<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS):</b>	Good Morning Dan- The NRCS does not have any comments or concerns about the attached proposal. – Randi Prichard, 6/6/22.
<b>NORTHERN NATURAL GAS:</b>	No comments.
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO):</b>	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 6/8/22.
<b>NUSTAR PIPELINE:</b>	No comments.
<b>SIouxLAND DISTRICT HEALTH DEPARTMENT:</b>	No comments.
<b>WIATEL:</b>	No comments.
<b>WOODBURY COUNTY ASSESSOR:</b>	No comments.
<b>WOODBURY COUNTY CONSERVATION:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY MANAGEMENT:</b>	No comments.

WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	<b>SEE REVIEW MEMO BELOW</b>
WOODBURY COUNTY RECORDER:	Appears that the Surveyors Certificate needs to have a signature line for the surveyor to sign and date please. – Diane Swoboda Peterson, 6/1/22. [Corrected]
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	Woodbury REC has no comments or concerns. – Kent Amundson, 6/2/22.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – 6/1/22.
WOODBURY COUNTY TREASURER:	The taxes are current. The full year was paid on August 12, 2021. – Kim Koepke, 6/1/22.

## REVIEW MEMO - WOODBURY COUNTY ENGINEER – MARK NAHRA, PE



### Woodbury County Secondary Roads Department

759 E. Frontage Road • Moville, Iowa 51039  
 Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
 Mark J. Nahra, P.E.  
 mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
 Benjamin T. Kusler, E.I.T.  
 bkusler@sioux-city.org

SECRETARY  
 Tish Brice  
 tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator

From: Mark J. Nahra, County Engineer

Date: June 8, 2022

Subject: William's Third Strike, First Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision application forwarded with your memo dated June 1, 2022.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access. The proposed shared use of the existing driveway will work in this location. Sight distance is optimal at this driveway and there is a clear differentiation at the right of way line for the division of the driveway.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

# PARCEL REPORT

## Summary

Parcel ID 894602300004  
 Alternate ID 872895  
 Property Address 1827 110TH ST  
 SIOUX CITY IA 51106  
 Sec/Twp/Rng 2-89-46  
 Brief Tax Description EX 5242' W180 SWSW 2-89-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2021-13056/1921/2021  
 Gross Acres 36.82  
 Net Acres 36.82  
 Adjusted CSR Pts 1366.6  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0025 CONCORD/LAWTON-BRONSON  
 School District LAWTON BRONSON  
 Neighborhood N/A



## Owner

**Deed Holder**  
[Williams Lee Marc](#)  
 7503 Correctionville Rd  
 Lawton IA 51030

**Contract Holder**  
 Gard Frances M

**Mailing Address**  
 Williams Lee Marc  
 7503 Correctionville Rd  
 Lawton IA 51030

## Land

Lot Area 36.82 Acres; 1,603,879 SF

## Residential Dwellings

**Residential Dwelling**  
 Occupancy Single-Family / Owner Occupied  
 Style 2 Story Frame  
 Architectural Style N/A  
 Year Built 1900  
 Condition Above Normal  
 Roof Asph / Gable  
 Flooring  
 Foundation TILE  
 Exterior Material Vinyl  
 Interior Material Drwl / Panel  
 Brick or Stone Veneer  
 Total Gross Living Area 2,332 SF  
 Main Area Square Feet 922  
 Attic Type None  
 Number of Rooms 0 above; 0 below  
 Number of Bedrooms 0 above; 0 below  
 Basement Area Type Full  
 Basement Area 922  
 Basement Finished Area  
 Plumbing 1 Half Bath; 1 Base Plumbing (Full);  
 Appliances  
 Central Air No  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Open (96 SF); 15 Frame Open (104 SF); None (65 SF);  
 Decks  
 Additions 1 Story Frame (384 SF);  
 1 Story Frame (104 SF);  
 924 SF - Det Frame (Built: 1900);  
 Garages

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	24	48	1950	1
0	Shed - Loafing	CATTLE SHED	24	40	1950	1
0	Barn - Flat	GP BARN	48	50	1950	1
0	Milk House	MILK HOUSE	14	16	1950	1
0	Machine or Utility Building	MACHINE SHED	24	44	1950	1
0	Crib	DIM CRIB	30	36	1965	1
0	Bin - Grain Storage (Bushel)		0	0	1960	1
0	Shed	COBHOUSE	8	16	1950	1

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
9/7/2021	GARD LOWELLE FAMILY TRUST	WILLIAMS LEE MARC	2021-13056	Normal	Deed	Y	\$750,000.00

[Show](#) There are other parcels involved in one or more of the above sales:

## Valuation

Classification	2022	2021	2020	2019	2018
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$34,580	\$34,580	\$32,700	\$32,700	\$47,600
+ Assessed Building Value	\$4,150	\$4,620	\$4,230	\$4,230	\$5,880
+ Assessed Dwelling Value	\$152,250	\$152,250	\$133,410	\$133,410	\$117,400
= Gross Assessed Value	\$190,980	\$191,450	\$170,340	\$170,340	\$170,880
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$190,980	\$191,450	\$170,340	\$170,340	\$170,880

## Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

## Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

## Photos



## Sketches



No data available for the following modules: Commercial Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications.



[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

Last Data Update: 5/31/2022, 6:30:15 PM

# SOIL REPORT

## Summary

Parcel ID	894602300004	
Gross Acres	36.82	
ROW Acres	0.00	
Gross Taxable Acres	36.82	
Exempt Acres	0.00	
Net Taxable Acres	36.82	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	42.02	(1547.29 CSR2 Points / 36.82 Gross Taxable Acres)

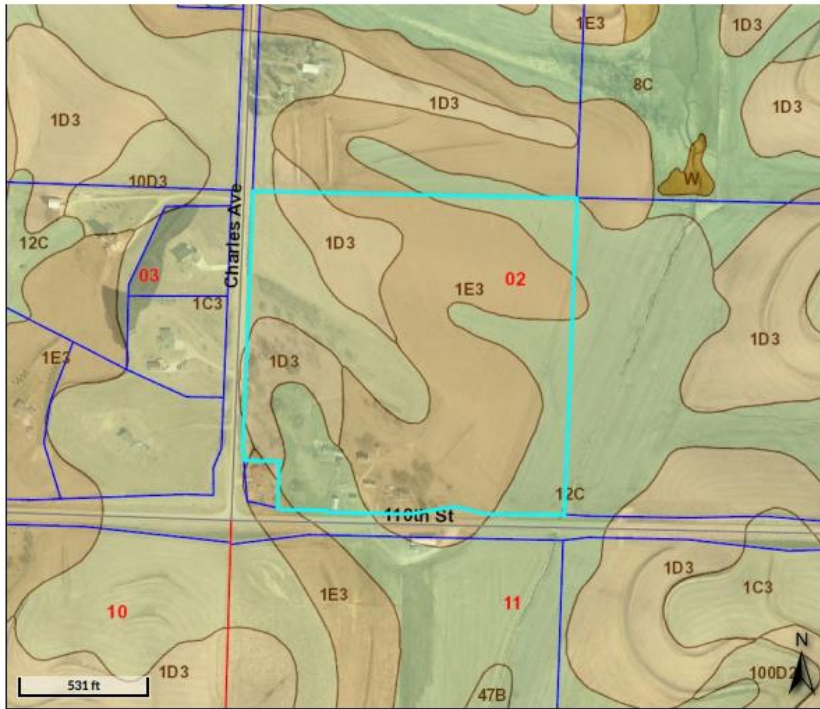
Agland Active Config 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	24.11	39.78	959.15	959.15
Non-Crop	12.71	46.27	588.14	407.45
<b>Total</b>	<b>36.82</b>		<b>1,547.29</b>	<b>1,366.60</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	5.41	481.49	481.49
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	2.41	139.78	139.78
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.19	102.08	102.08
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	13.10	235.80	235.80
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.76	245.64	127.18
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	3.00	174.00	114.06
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.10	99.20	96.91
Non-Crop	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	3.85	69.30	69.30
<b>Total</b>				<b>36.82</b>	<b>1,547.29</b>	<b>1,366.60</b>



### Overview



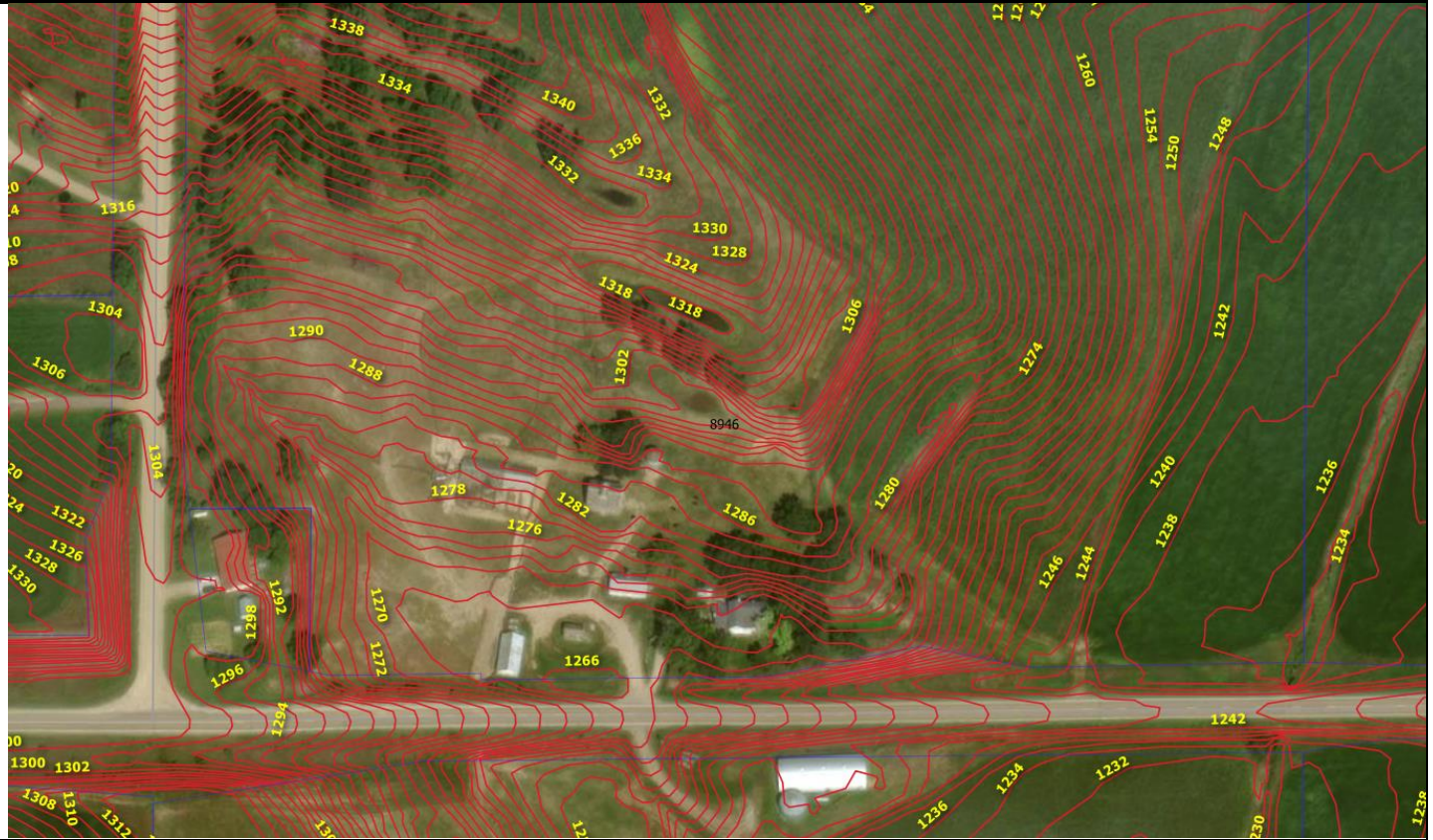
### Legend

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894602300004	Alternate ID	872895	Owner Address	WILLIAMS LEE MARC
Sec/Twp/Rng	2-89-46	Class	A		7503 CORRECTIONVILLERD
Property Address	1827 110TH ST	Acreage	36.82		LAWTON, IA 51030
	SIOUX CITY				
District	0025				
Brief Tax Description	EX S242' W180' SWSW 2-89-46				
	(Note: Not to be used on legal documents)				



## ELEVATION



## SEPTIC SYSTEM TIME OF TRANSFER

### Daniel Priestley

**From:** Dan Kriener <dankriener@aol.com>  
**Sent:** Wednesday, June 22, 2022 3:05 PM  
**To:** Daniel Priestley  
**Subject:** Re: Well Easement and Septic Location  
**Attachments:** Lee Williams TOT Well and Septic 9-21-2021.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may **NOT** be who they claim. If you are asked for your username and password, please call WCICC and **DO NOT ENTER** any data.

Dan

I have attached the Time of Transfer Information on the Lee Williams property. Lee purchased the 79 acre farm including the dwelling on 9-21-2021. The well is located Northwest of the dwelling and the septic is located Southeast of the Dwelling. The distance between the well and septic is in excess of 100 feet. The Septic tank is in good working order.

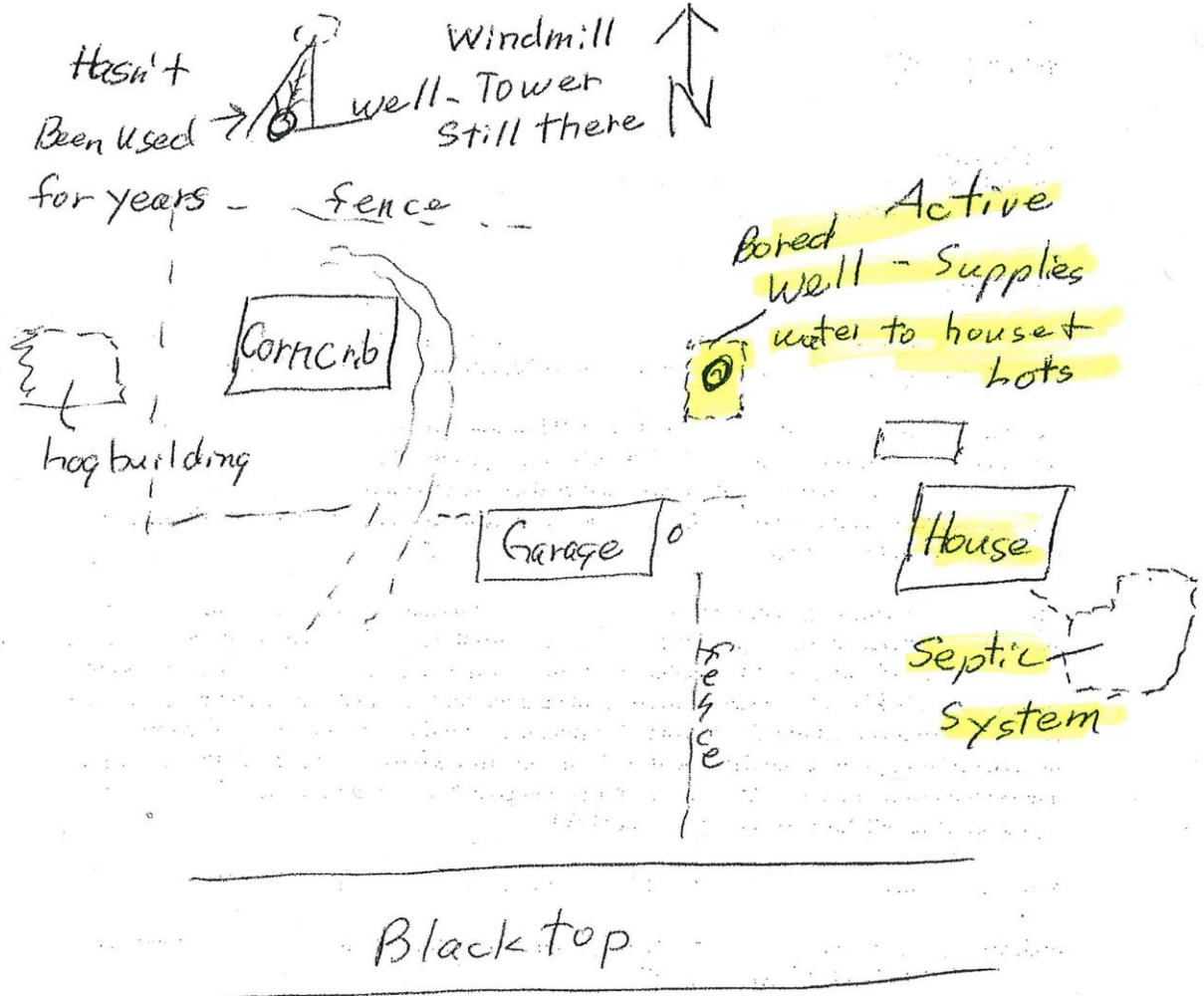
**Dan Kriener, AFM**  
**President**  
**Kriener Farm Management, Inc.**  
**4110 Floyd Blvd.**  
**Sioux City, IA 51108**

ph (712) 239-0311

Licensed Real Estate Broker in Iowa, Nebraska, and South Dakota

<http://www.krienerfammanagement.com/>

# Lowell E. Gard Family Trust Wells



9-2-2021

Instrument #: GW2021-01807  
09/21/2021 11:45:34 AM Total Pages: 6  
GWH GROUNDWATER HAZARD STATEMENT

Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa



GWH Related ID: 2021-13056

TRWD TRUSTEE'S WARRANTY DEED  
09/21/2021 11:45:34 AM  
Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa

**REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT**  
TO BE COMPLETED BY TRANSFEROR

**TRANSFEROR:**

Name LOWELL E. GARD FAMILY TRUST  
Address 3305 QUINCY AVENUE DANVILLE, IA 52623  
Number and Street or RR City, Town or P.O. State Zip

**TRANSFeree:**

Name LEE MARC WILLIAMS  
Address 7503 CORRECTIONVILLE RD. LAWTON, IA 51030  
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:  
1827 110TH ST. SIOUX CITY, IA 51106 PLUS PROPERTY OUTLINED IN ADDENDUM  
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary) See 1 in Addendum

**1. Wells (check one)**

- There are no known wells situated on this property.
- There is a well or wells situated on this property. The type(s), location(s) and legal status are stated below or set forth on an attached separate sheet, as necessary.

**2. Solid Waste Disposal (check one)**

- There is no known solid waste disposal site on this property.
- There is a solid waste disposal site on this property and information related thereto is provided in Attachment #1, attached to this document.

**3. Hazardous Wastes (check one)**

- There is no known hazardous waste on this property.
- There is hazardous waste on this property and information related thereto is provided in Attachment #1, attached to this document.

**4. Underground Storage Tanks (check one)**

- There are no known underground storage tanks on this property. (Note exclusions such as small farm and residential motor fuel tanks, most heating oil tanks, cisterns and septic tanks, in instructions.)
- There is an underground storage tank on this property. The type(s), size(s) and any known substance(s) contained are listed below or on an attached separate sheet, as necessary.

**5. Private Burial Site (check one)**

- There are no known private burial sites on this property.
- There is a private burial site on this property. The location(s) of the site(s) and known identifying information of the decedent(s) is stated below or on an attached separate sheet, as necessary.

**6. Private Sewage Disposal System (check one)**

- All buildings on this property are served by a public or semi-public sewage disposal system.
- This transaction does not involve the transfer of any building which has or is required by law to have a sewage disposal system.
- There is a building served by private sewage disposal system on this property or a building without any lawful sewage disposal system. A certified inspector's report is attached which documents the condition of the private sewage disposal system and whether any modifications are required to conform to standards adopted by the Department of Natural Resources. A certified inspection report must be accompanied by this form when recording.
- There is a building served by private sewage disposal system on this property. Weather or other temporary physical conditions prevent the certified inspection of the private sewage disposal system from being conducted. The buyer has executed a binding acknowledgment with the county board of health to conduct a certified inspection of the private sewage disposal system at the earliest practicable time and to be responsible for any required modifications to the private sewage disposal system as identified by the certified inspection. A copy of the binding acknowledgment is attached to this form.
- There is a building served by private sewage disposal system on this property. The buyer has executed a binding acknowledgment with the county board of health to install a new private sewage disposal system on this property within an agreed upon time period. A copy of the binding acknowledgment is provided with this form.
- There is a building served by private sewage disposal system on this property. The building to which the sewage disposal system is connected will be demolished without being occupied. The buyer has executed a binding acknowledgment with the county board of health to demolish the building within an agreed upon time period. A copy of the binding acknowledgment is provided with this form. [Exemption #9]
- This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]: \_\_\_\_\_
- The private sewage disposal system has been installed within the past two years pursuant to permit number \_\_\_\_\_.

**Information required by statements checked above should be provided here or on separate sheets attached hereto:**

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**I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.**

Signature: Lowell E. Sard Family Trust by Roger L. Sard Telephone No.: (319) 750-2144  
(Transferor or Agent) *Trustee*

**GROUNDWATER HAZARD STATEMENT**

**ATTACHMENT #1**

**NOTICE OF WASTE DISPOSAL SITE**

**a. Solid Waste Disposal (check one)**

- There is a solid waste disposal site on this property, but no notice has been received from the Department of Natural Resources that the site is deemed to be potentially hazardous.
- There is a solid waste disposal site on this property which has been deemed to be potentially hazardous by the Department of Natural Resources. The location(s) of the site(s) is stated below or on an attached separate sheet, as necessary.

**b.. Hazardous Wastes (check one)**

- There is hazardous waste on this property and it is being managed in accordance with Department of Natural Resources rules.
- There is hazardous waste on this property and the appropriate response or remediation actions, or the need therefore, have not yet been determined.

Further descriptive information:

N/A

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**I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.**

Signature: Lowell E. Gard Family Trust by Roger L. Gard Telephone No.: (319) 750-2144  
(Transferor or Agent) Trustee

**FILE WITH RECORDER**

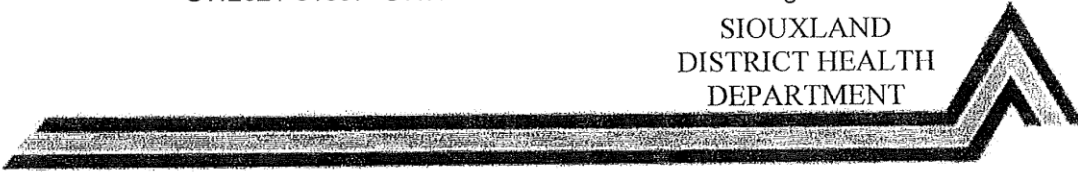
**DNR form 542-0960 – Attachment #1 (July 18, 2012)**

## Addendum

1. The Southeast Quarter (SE  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46) West of the 5th P.M., in the County of Woodbury and State of Iowa.

The Southwest Quarter (SW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5th P.M., in the County of Woodbury and State of Iowa EXCEPT all that part of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5th P.M. in Woodbury County, Iowa, described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2); thence North along the West line of said Section Two (2) for Two Hundred Forty-two Feet (242.00'); thence North Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (N 88°56'24") East for One Hundred Eighty Feet (180.00'); thence South for Two Hundred Forty-two Feet (242.00'); thence South Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (S 88°56'24") West along the South line of said Section Two (2) for One Hundred Eighty Feet (180.00') to the point of beginning. The West line of said Section Two (2) is assumed to bear due North for this description. Said described parcel contains 1.00 acre more or less, including County road easement.

SIOUXLAND  
DISTRICT HEALTH  
DEPARTMENT

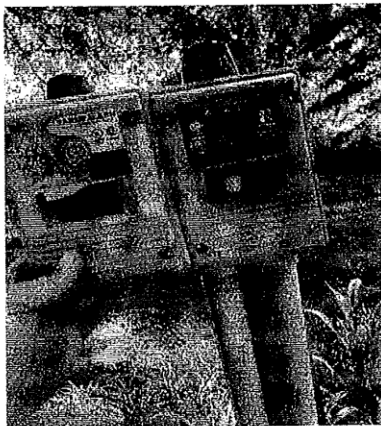


August 3, 2021

Gard Lowell Family Trust  
1827 110<sup>th</sup> Street  
Sioux City, Iowa 51106

Gard Family Trust,

On August 2, 2021, DJ Walsh with Siouxland Well replaced the broken alarm serving the pump pit for the septic system at 1827 110<sup>th</sup> Street in Sioux City, IA. Please see picture included below of the replaced alarm. The septic system is now documented as functioning as designed. Please accept this letter as approval of the septic inspection. There is no further action required on your behalf at this time.



Should you have any questions, please feel to contact me at 712-279-6119.

Sincerely,  
Paige Nelson

Environmental Specialist  
[pnelson@siouxlanddistricthealth.org](mailto:pnelson@siouxlanddistricthealth.org)

1014 Nebraska Street • Sioux City, Iowa 51105 • (712) 279-6119 • Fax (712) 255-2604